



*Licensing Board*  
**TOWN OF WATERTOWN**  
ADMINISTRATION BUILDING  
149 Main Street  
Watertown, Massachusetts 02472

TEL. (617) 972-6486  
FAX (617) 972-6595

BOARD MEMBERS  
DONNA B. DOUCETTE  
GEORGE B. NEWMAN  
ROBERT J. WHITNEY

ALTERNATE MEMBER  
SANDRA KASABIAN HOFFMAN

Minutes July 17, 2014

1. ACCEPTANCE OF MINUTES: June 19, 2014 Approved 3-0
2. Mohammed Asif d/b/a Bus Stop Variety  
633 Main Street  
Automatic Amusement Device Continued to August 21, 2014
3. Red Lentil, LLC d/b/a  
Red Lentil Vegetarian and Vegan Restaurant  
600 Mt. Auburn Street  
Alteration of Premise Approved 3-0  
Change of Hours Approved 3-0
4. Shanaya Corp d/b/a Coolidge Liquors  
608 Mt. Auburn Street  
Transfer All Alcohol Package Goods License & *Pledge of License* Approved 3-0
5. Silenus, LLC d/b/a Silenus  
311 Arsenal Street, Bldg. 312  
New Common Victualler Approved 3-0  
Transfer Wine & Malt License Approved 3-0
6. Unidine Corporation d/b/a Café 64  
64 Grove Street  
New Common Victualler Approved 3-0
7. MJLK, Inc. d/b/a 21 Nickels  
21 Nichols Ave.  
a. Show Cause Concluded 3-0  
b. Show Cause Continued to September 18, 2014
8. The Nickel Tavern, Inc. d/b/a The Nickel Tavern  
21 Nichols Ave.  
Transfer All Alcohol Common Victualler License Withdrawn  
Music Box License
9. Athena Arsenal, LLC  
311 Arsenal Street  
Informational presentation on Food Truck Watertown Event Approved 3-0

10. Public Hearing – Continued to September 18, 2014  
Regulations for special licenses for sale of wine by farm-wineries at  
approved agricultural events
11. Comments by Board Clerk and Police Department

---

Donna B. Doucette, Chairman

7:30 PM to 10:30 PM

Present: Donna B. Doucette, Robert J. Whitney, Sandra Kasabian Hoffman

1. Minutes from the June 19, 2014 hearing were approved 3-0 by the Licensing Board.
2. Mohammed Asif d/b/a Bus Stop Variety  
633 Main Street  
Watertown, MA 02472

The Watertown Licensing Board has continued the hearing on the application of Mohammed Asif d/b/a Bus Stop Variety for an Automatic Amusement Device License to be exercised at 633 Main Street. The application was originally scheduled for hearing on July 17, 2014, but no authorized representative of the applicant appeared at that time.

The continued hearing will be held on August 21, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Red Lentil, LLC d/b/a Red Lentil Vegetarian and Vegan Restaurant  
600 Mt. Auburn Street  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Red Lentil, LLC d/b/a Red Lentil Vegetarian and Vegan Restaurant for approval of alteration of its premises at 600 Mt. Auburn Street licensed for wine and malt common victualler service, and approval of a change in hours of operation.

Pankaj Pradhan, manager of the LLC, appeared in support of the application. Mr. Pradhan stated that he proposes to utilize space that is currently a hallway in order to increase the capacity of the dining room. Customer wait time has been increasing.

The Zoning Officer reported that the increase in the number of seats will require approval by the Zoning Board of Appeals as an alteration of a nonconforming use.

The Health Department reported that the applicant must comply with department provisions including, but not limited to: food establishment plan review for change of premises.

Sgt. Grady stated that the Police Department had no objection to approval of the proposed transfer, provided that the conditions stated in items 1 - 3 below were imposed.

The Licensing Board voted unanimously to approve the alteration of premises, and to approve a change in hours of operation, subject to the following conditions:

1. The new hours of operation shall be 11:00 a.m. to 11:00 p.m. Monday through Thursday; 11:00 a.m. to midnight on Friday; 9:00 a.m. to midnight on Saturday; and 9:00 a.m. to 11:00 p.m. on Sunday.
2. The total interior seating will be increased to 44 persons, as shown on the plan submitted ("Red Lentil 600 Mount Auburn Street Watertown MA 02472 – First Floor Plan – Proposed Plan" by Rojas Design, Inc. dated June 19, 2014).

3. There shall be no service of alcoholic beverages prior to 12 noon on Sunday.
  4. The licensee shall obtain approval of the Zoning Board of Appeals for alteration of a nonconforming use, as stated in the Zoning Officer's report to the Licensing Board.
4. Shanaya Corp. d/b/a Coolidge Liquors  
44 Lantern Way  
Shirley, MA 01464

The Watertown Licensing Board met to consider the application of Shanaya Corp. d/b/a Coolidge Liquors for approval of a transfer to it from Coolidge Liquors, LLC of the All Alcohol Package Goods Store License exercised at 608 Mt. Auburn Street, and for approval of a pledge of the license.

Attorney George Perry appeared in support of the application together with Jigar Patel, president, and Asha Patel, the proposed manager. Attorney Perry stated that Jigar Patel has extensive food service business experience, including exercise of an alcohol license; he is TIPS certified. Asha Patel will obtain certification; she has six years' experience working at another family business – a licensed package goods store in Shirley, Massachusetts. Jigar Patel stated that he anticipated at least two to three employees would work at the premises, and noted that Asha Patel also has experience as a supervisor at the Shirley location.

Rockland Trust Bank will act as lender for the transfer transaction, including the provision of a second loan to Ashi Corporation, which will then lend the loan amount to Shanaya Corp. Ashi Corporation is 100% owned by Jigar Patel.

The Health Department reported that the applicant must contact the department and comply with department provisions including, but not limited to: food establishment plan review and tobacco and nicotine delivery products application. The Building Department reported there were no interior changes that would trigger code review issues.

The Fire Department and Zoning Officer had no comment.

Sgt. Grady stated that the Police Department had no objection to approval of the proposed transfer, provided that the conditions stated below were imposed. He also stated that the Police Department had no objection to the proposed pledge of license.

The Licensing Board voted unanimously to approve the transfer, subject to the following conditions:

1. The hours of operation shall not exceed 9:00 a.m. to 11:00 p.m. Monday through Saturday, and 12 noon to 11:00 p.m. on Sunday.
2. The alcohol sales area shall be laid out and maintained as shown on the plan submitted (sketch plan of 2 sheets – "First Floor Coolidge Liquors" and "Basement Coolidge Liquors," received in the office of the Town Clerk on May 28, 2014).
3. The owner/manager must obtain a valid alcohol awareness training program certificate within 30 days of issuance of the license; and any other employees engaged in the sale of alcohol shall also obtain such certification within 90 days of their employment or expiration of current certification. Copies of the certifications shall be forwarded to the Licensing Board clerk.

The Licensing Board also unanimously approved a pledge of the license to Rockland Trust Bank.

5. Silenus, LLC d/b/a Silenus  
311 Arsenal Street, Building 312  
Watertown, MA 02472

On July 17, 2014, the Watertown Licensing Board met to consider the application of Silenus, LLC d/b/a Silenus for approval of a transfer to it from Acapulco Mexican Restaurant, Inc. of the Wine and Malt Common Victualler License issued for exercise at 45 Lexington Street, and for a new common victualler license, both to be exercised at 311 Arsenal Street, Building 312.

Attorney Kristen Scanlon appeared in support of the application together with Bridger McGaw, an employee of AthenaHealth and manager of the LLC and the proposed manager of the premises, Jacob Scott, senior corporate counsel, and other representatives of AthenaHealth. Attorney Scanlon explained that the proposed restaurant is in keeping with AthenaHealth's master plan vision for the Arsenal on the Charles campus. It will add to the retail environment, using the space formerly occupied by Watertown Savings Bank. She stated that AthenaHealth has the primary beneficial interest in the proposed operation and is looking for an experienced manager to operate the restaurant. A menu has not yet been created, but can be provided when completed. There will be 24-hour security on the campus property and servers will be required to obtain TIPS certification and additional training. The outdoor seating area will have a patio supervisor. December 1, 2014 is the planned opening date.

Mr. McGaw stated that AthenaHealth has maintained offices on the site since 2005 and has approximately 2,000 employees. The company is attempting to re-activate the campus for community benefit. In response to questions from the Board he stated that no outdoor bar structure will be installed. Attorney Scanlon noted the applicant's request that outdoor seating be authorized on a year-round basis, weather permitting.

Board Chairman Doucette noted that the proposed outdoor seating patio is located in a commercial area surrounded by office space, parking areas, streets, and other buildings.

The Health Department reported that the applicant must contact the department and comply with department provisions including, but not limited to: food establishment plan review. The Building Department reported that approval would require final completion of the improvements.

The Fire Department and Zoning Officer had no comment.

Sgt. Grady stated that the Police Department had no objection to approval of the proposed transfer, provided that the conditions stated in items 1 – 7 below were imposed.

The Licensing Board voted unanimously to approve the transfer, and to grant the new common victualler license, subject to the following conditions:

1. The hours of operation for alcohol service shall be 11:00 a.m. to 1:00 a.m. Monday through Saturday. No alcohol shall be served on Sundays.

2. The licensed premises will include an area of 4,750 square feet, 2,410 square feet inside the building with 60 seats, and 2,340 square feet outside with seasonal seating for 82 persons, as shown on the plan submitted ("AthenaHealth Building 312 – the Arsenal on the Charles Watertown MA 02472, Liquor License Overall Plan," by Charles Rose Architects, Inc., sheet A1.0).
  3. The seasonal outdoor seating perimeter will be marked and enclosed with permanent fencing and/or stanchions. Entry to the seasonal seating area shall be via the main/front entrance of the building only.
  4. Bollards shall be affixed to/installed at the perimeter of the outdoor seating area so as to prevent vehicles from driving into the area.
  5. A manager or properly trained designee will be present in the outdoor seating area at all times it is in use to provide oversight and ensure proper service procedures.
  6. The manager and all servers shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification.
  7. Copies of all alcohol awareness training program certificates shall be provided to the Town Clerk's office.
  8. The license shall not be issued until the Building, Fire and Health Departments have confirmed compliance with code and inspection requirements.
6. Unidine Corporation d/b/a Café 64  
1000 Washington Street Suite 510  
Boston, MA 02118

The Watertown Licensing Board met to consider the application of Unidine Corporation d/b/a Café 64 for a common victualler license to be exercised at 64 Grove Street.

David Gorberg, the proposed manager, appeared in support of the application. Mr. Gorberg explained that Unidine has been the contracted food services vendor for the Tufts Health Plan campus on Grove Street since 2005. The proposed food service operation will be an 'employees only' satellite café, located on the third floor of the building at 64 Grove Street. Its offerings will include a deli, salad bar and yogurt bar. Mr. Gorberg noted that Tufts' operations are growing and that two departments will be moving to the building at 64 Grove Street. He stated that the planned opening date is July 24.

The Building Department reported that a final occupancy permit is pending. The Health Department reported that the applicant has contacted the department and is engaged in the food establishment plan review application process. The Fire Department and Zoning Officer had no comment.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant a new common victualler license, subject to the following conditions:

1. The hours of operation shall be 7:00 a.m. to 2:00 p.m., Monday through Friday.
2. Seating shall be limited to 42, as shown on the plan submitted (plan entitled "Tufts Health Plan 64 Grove Street Third Floor" sheet SK-1 dated 06/26/2014: 64 Grove Street: Seating Plan).
3. There shall be no alcoholic beverages on the premises.

7a. MJLK, Inc. d/b/a 21 Nickels  
c/o Michael J. Moran  
67 Burton Street  
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of your violation of Section IV.C.1.b of the Rules and Regulations of the Watertown Licensing Board, which requires that a restaurant authorized to sell alcohol on Sundays submit an annual report, by May 1 of each year, confirming that the licensed establishment derives 60% or more of its gross revenues from the sale of food, to wit: your failure to submit an annual report for 2012. The matter had previously been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16, February 20, March 20, April 17, May 15, and June 19, 2014, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, and November 1, 2013 and the Notices of Continuance dated December 2, 2013, and January 7, January 31, March 10, April 9, May 7, May 27, and July 2, 2014.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran and Ayse Gurdal. Attorney Rufo explained that following unsuccessful efforts to secure a transfer of the alcohol license, the licensee would be re-opening the restaurant at 21 Nichols Avenue. Ms. Gurdal will be the manager of the premises. The proposal for the re-opening is described in the Licensing Board's Notice of Action and Continuance of Show Cause Hearing of the same date as this Notice of Action, related to the closure of your premises at 21 Nichols Avenue licensed for all alcohol common victualler service and your failure to comply with the conditions of the Board's approval of that closure.

Board chairman Doucette recommended that the annual report matter be concluded by eliminating Sunday hours from the approved hours for alcohol service, but with the condition that the licensee may request approval for Sunday hours six months after the restaurant has been re-opened. The board unanimously agreed. Ms. Gurdal stated that it seemed fair to provide for a six-month waiting period rather than the usual one-year period.

7b. MJLK, Inc. d/b/a 21 Nickels  
c/o Michael J. Moran  
67 Burton Street  
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of the closure of your premises at 21 Nichols Avenue licensed for all alcohol common victualler service and your failure to comply with the conditions of the Board's approval of that closure. The matter had been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16, February 20, March 20, April 17, May 15, and June 19, 2014, and the proceedings from the sessions held on those dates are described in the Board's

Notices of Action and Continuance dated July 10, August 7, August 23, October 4, November 1, December 2, 2013, January 7, January 31, March 10, April 9, May 7, May 27, and July 2, 2014.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran and Ayse Gurdal. Attorney Rufo stated that a further hearing was held on July 2 in Suffolk Superior Court on the motion for preliminary injunction against Sandra Fisher Gavin, a trustee of 21 Nichols Trust, in the litigation described at the Board meeting of June 19. The motion was denied the next day, with the court noting that both parties were claiming breach of duties. The following week, Ms. Fisher Gavin's counsel called Attorney Rufo to ask if the Morans would settle the dispute by making a payment to Ms. Fisher Gavin; the answer was no. To date, there has been no further litigation action. Attorney Rufo also reported that counsel for the proposed transferee of the license identified in prior hearing sessions, Gerald Caico, had informed MJLK, Inc. that Mr. Caico had decided not to pursue the transfer, and the Board acknowledged receipt of a letter from Attorney PeggyAnn Wollman stating the intention to withdraw the transfer application. In light of these developments, Attorney Rufo stated that the licensee is now proposing to re-open the premises, with Ayse Gurdal serving as general manager.

Ms. Gurdal addressed the Board and stated that she had met with Michael Moran to discuss her running the restaurant. She has an anticipated partner, who is a chef with menu building experience. The re-opening effort will focus on the atrium bar area first, so the food will be more bar-style. The dining car portion of the premises will require more of a dinner menu. Ms. Gurdal's food industry experience includes work as a retailer and restaurant supplier; her family owns Formaggio Kitchen, which had a place of business in Cambridge and New York City, which she managed for two years. She has served as manager of Sofra, a bakery café in Cambridge, for two and a half years, and has alcohol service experience, on and off, over the last 13 years. The re-opening is projected for October or November.

Board chairman Doucette noted that the license renewal period is December and that she could not in good conscience again report to the Alcoholic Beverages Control Commission that the premises were closed but would re-open or that the license would be transferred.

Mr. Moran stated that he saw the arrangement with Ms. Gurdal as a partnership that would grow. He noted that the building has physical and plumbing issues that must be addressed, and that the bar side of the premises is in the best shape so that is where the new operation will start. Renovating the caboose/dining car would be quite expensive in his view.

The Licensing Board voted to continue the matter to September 18, 2014. Board chairman Doucette stated that if the Board is informed in September that the premises cannot be re-opened, it could then conclude the show cause proceedings by revoking the license.

The continued hearing will be held at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.



8. The Nickel Tavern, Inc. d/b/a The Nickel Tavern  
31 Clifford Street  
Framingham, MA 01702

On July 17, 2014 the Watertown Licensing Board met to consider the application of The Nickel Tavern, Inc. for a transfer to it of the All Alcohol Common Victualler License issued to MJLK, Inc. d/b/a 21 Nickels for exercise at 21 Nichols Avenue and for a music box license to be exercised at the same premises. At that time, the Board acknowledged receipt of a letter from Attorney PeggyAnn Wollman, on behalf of the applicant, requesting leave to withdraw the application. The Board voted unanimously to grant leave to withdraw.

9. Athena Arsenal, LLC  
311 Arsenal Street  
Watertown, MA 02472  
Attn. Bridger McGaw

A presentation was made at the Licensing Board meeting of July 17, 2014 regarding a food truck event, including service of beer, proposed for the AthenaHealth campus at the Arsenal on the Charles on September 13, 2014.

Following the presentation, the Licensing Board approved a special one day license for the sale of beer, pursuant to section 14 of Chapter 138 of the General Laws. Approval of the license was subject to the following conditions:

1. Confirmation of approval of security measures for the event by the Watertown Police Department.
  2. The perimeter of the event area must be secured and the event access and service of alcohol restrictions presented must be observed, to wit: attendees' identification will be checked at the ticket sales point and a wristband will be issued; beverage tickets will be sold in packages of three, with each ticket eligible for a 4 ounce pour; each pour must be separately obtained, one at a time; the premises will be monitored by personnel of the contracted event producer to prevent consumption of alcohol by persons under 21 years of age.
10. Public Hearing – Regulations for special licenses for sale of wine by farm-wineries at approved agricultural events.

Preliminary regulations were discussed by the licensing board. There was no one in attendance from public for any comments.

The licensing board voted to continue this matter to the August 21, 2014 hearing.